



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/649,824

08/28/2003

Yukita Gotohda

2091-0288P

9008

2292 7590 08/04/2009
BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER

MISLEH, JUSTIN P

ART UNIT

PAPER NUMBER

2622

NOTIFICATION DATE

DELIVERY MODE

08/04/2009

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Response to Arguments

1. Applicant's arguments, filed July 22, 2009, with respect to the rejections of Claim 7 – 9 under 35 U.S.C. §101 have been fully considered and are persuasive. The 35 U.S.C. §101 rejection of Claims 7 – 9 has been withdrawn.
2. However, Applicant's arguments with respect to independent Claims 1, 4 and 7 under 35 U.S.C. §102(e) have been fully considered but they are not persuasive.
3. Applicant argues, "the Yamazaki reference fails to disclose or suggest the photography notification data as claimed." Applicant reasons, "Yamazaki is directed basically toward a camera communication system whereby a master camera instructs slave cameras to perform image capture ... [subsequently,] the slave cameras transmit the acquired image data to a server ... [the] Examiner is relying on this instruction to allegedly anticipate the notification data of the claimed invention ... [however,] photography notification data is not the same as data to instruct a desired imaging device to perform a photography operation."
4. The Examiner respectfully disagrees with Applicant's position. Claim 4, e.g., recites, *inter alia*, "transmitting photography notification data from one of said plurality of imaging devices to a desired imaging device among the plurality of imaging devices ... to cause the desired imaging device to perform photography notification when causing the plurality of imaging devices to perform a photography operation."
5. The Examiner respectfully submits the claim language does not identify how photography notification is performed or what is receiving the photography notification or the relationship of photography notification to the performing of a photograph operation. In the case of Yamazaki, the instruction issued from the master camera to the slave cameras serves as the

Art Unit: 2622

function of “transmitting photography notification data from one of said plurality of imaging devices to a desired imaging device among the plurality of imaging devices,” as claimed.

Furthermore, in Yamazaki, the transmitting of image data from the slave cameras to the server serves as the function of “to cause the desired imaging device to perform photography notification when causing the plurality of imaging device to perform photography operation,” as claimed. Thus, one of the slave cameras (i.e., desired imaging device) captures and transmits the image data (i.e., perform photography notification) when causing (i.e., the master camera) the plurality of imaging devices to perform a photography operation (i.e., slave cameras capturing and transmitting images).

Conclusion

6. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Justin P Misleh whose telephone number is 571.272.7313. The Examiner can normally be reached on Monday through Friday from 8:00 AM to 5:00 PM.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner’s supervisor, David Ometz can be reached on 571.272.7593. The fax phone number for the organization where this application or proceeding is assigned is 571.273.8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

Application/Control Number: 10/649,824

Page 4

Art Unit: 2622

system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Justin P. Misleh/

Primary Examiner

Group Art Unit 2622

July 31, 2009